REMARKS

This Amendment is in response to the Office Action of December 13, 2007 in which claims 1-29 were rejected.

With reference to item 2 of the Office Action, the Examiner is objecting that claim 23, which is directed to a computer readable medium, is incorrectly appended to claim 1 in accordance with US practice. However, applicant would like to point out the "Infringement Test" of MPEP Section 608.01(n) III. The fact that the independent and dependent claims are in different statutory classes does not, in itself, render the latter improper. Since claim 23 could not be infringed without also infringing claim 1, it is a proper dependent claim. However, in order to meet this objection, claim 23 has been amended so as to incorporate the subject matter of claim 1 such that claim 23 is recited in independent form without changing its scope.

With reference to the remaining items in the Office Action, the Examiner is maintaining that the claims are not distinguished over the cited prior art for the same reasons as given in the previous Office Action. It would appear that the main point of contention is the interpretation of the claimed feature "location dependent routing information." Applicants have previously argued that the prior art does not disclose storing location dependent routing information in a data storage and then providing a terminal with location dependent routing information for establishing a connection between two terminals based on the location of one of the terminals. The feature "location dependent routing information" is intended to mean information which gives alternative routes for connection based on where the terminal is located. As such, this information is of the type "if the terminal is in location X use route 1 for the connection whereas if the terminal is in location Y then use route 2 for the connection".

With the aforementioned interpretation, we argued that prior art document *Dennison* does not disclose providing location dependent routing information from a data storage to a user terminal. Rather, the location dependent routing information in *Dennison* is retained in the data storage of the communication system and only a command to use a specific route is sent to the user equipment. As such, the information actually sent to the mobile terminal constitutes a single route and does not constitute location dependent routing information as the command does not give any option to the mobile terminal as to alternative routes based on a location. Rather, it

only gives a specific route which has no location dependence. this is because all the location dependent routing information in *Dennison* is retained in the data storage where the route is determined based on the location of the user terminal. It would appear that the Examiner still considers the information sent to the terminal in *Dennison* to be location dependent routing information as the routing information sent to the terminal in *Dennisson* was initially determined according to location even if the routing information which is actually sent is fixed without any location dependence.

In light of the above, Applicants have amended the independent claims so as to clarify what is meant by "location dependent routing information." In particular, the independent claims have been amended so as to emphasize that: the location dependent routing information comprises information regarding different routes for a connection according to location of the terminal; and the *terminal* selects the appropriate routing information for routing the connection based on its location.

None of the cited documents disclose providing a terminal with a location dependent routing information from a data storage, said location independent routing information being provided to the terminal including information regarding different routes for a connection according to location of the terminal. Both *Dennison* and *Silver* disclose similar arrangements in which all location dependent routing information (as now more clearly defined in the amended claims of the present application) is retained within the network and is not provided to a terminal. In contrast, *Blakeney* discloses generating location dependent routing information within a mobile terminal. There is absolutely no disclosure or suggestion in any of the documents of providing location dependent routing information from a data storage to a terminal, the location dependent routing information including information regarding different routes for connection according to location of the terminal.
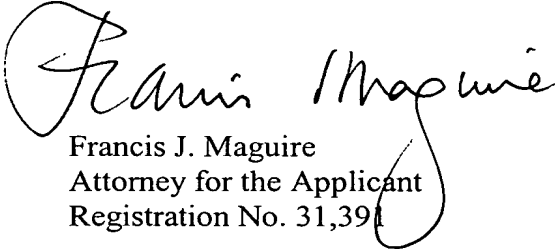
The present Applicants have realized that there are advantages to storing location dependent routing information in a data storage, such as a central server in a network, and then provide this information to a mobile terminal such that the mobile terminal can select an appropriate route according to its location. By storing the location dependent routing information centrally it can readily be updated. The updated information can then be periodically sent to mobile terminals such that the mobile terminals can make a selection of what route to take for a communication according to their location without having to signal to the data storage first in order to obtain a suitable route for the communication. For these reasons, the presently

8

claimed invention is advantageous over all the arrangements described in the cited documents.

In light of the foregoing and inasmuch as the claims have been amended to clarify the true nature of the invention, withdrawal of the various novelty and obviousness rejections is requested.

The objections and rejections of the Office Action of December 13, 2007, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of amended claims 1-29 to issue is earnestly solicited.

Respectfully submitted,

Francis J. Maguire
Attorney for the Applicant
Registration No. 31,391

FJM/mo
WARE, FRESSOLA, VAN DER SLUYS
 & ADOLPHSON LLP
755 Main Street, P.O. Box 224
Monroe, Connecticut 06468
(203) 261-1234